

UNITED STATES DISTRICT COURT
NORTHERN DISTRICT OF CALIFORNIA

IN RE:

**AIR CRASH AT SAN FRANCISCO,
CALIFORNIA, ON JULY 6, 2013**

MDL No.: 2497

ORDER TO SHOW CAUSE RE: SANCTIONS

**THIS DOCUMENT RELATES TO:
CASE NOS. 13-5941; 14-1057**

The Yang Plaintiffs' Motion to Expedite Yang Plaintiffs Expedited Request for Exemption From the April 21, 2014 Case Management Order Pending Ruling on Issues Raised in Plaintiffs' Remand Motion By The United States Court of Appeals for the Seventh Circuit and By This Court (Dkt. No. 42) is hereby **DENIED** for Yang Plaintiffs' failure to follow the Local Rules of this District.

Yang Plaintiffs are **HEREBY ORDERED TO SHOW CAUSE** why they should not be sanctioned for failure to comply with the Northern District of California Local Rules 7-1, which sets forth the form of motions, 7-2(a), which requires that a moving party notice a hearing for not less than 35 days after filing of a motion, and 7-11, which sets forth the procedures for filing an administrative motion. Further, the Court's Standing Order states at Section 3 regarding Changes to Court Calendar: "No changes to the Court's schedule shall be made except by signed order of the Court and only upon a showing of good cause. Parties seeking to continue hearings, request special status conferences, modify briefing schedules, or make any other procedural changes shall submit a signed stipulation and proposed order, or, if stipulation is not possible, a Motion for Administrative Relief, as contemplated by Civil Local Rule 7-11."

Yang Plaintiffs' Motion (Dkt. No. 42) improperly conflates two distinct types of motions: a motion to shorten time and a motion for administrative relief. The Court further notes that Yang Plaintiffs' original attempt at filing this motion (as two separate motions) failed to notice properly either motion for hearing on 35 days' notice in violation of Local Rule 7-2(a), and set the hearing for an improper time. (*See* Dkt. Nos. 35, 36.) Furthermore, Yang Plaintiffs' filing at Docket 41 is hereby **STRICKEN** for Yang Plaintiffs' failure to file same as a proper Motion pursuant to Local Rule 7-1. The Court will not countenance such disregard of the rules.

A hearing on this Order to Show Cause will be held on **Friday, May 30, 2014** on the Court's 9:01 a.m. Calendar, in the Federal Courthouse, 1301 Clay Street, Oakland, California, in Courtroom 1. No later than five days before the hearing, Yang Plaintiffs must file a written response to this Order to Show Cause explaining their failure to comply with the above rules. Yang Plaintiffs' counsel should also certify that they have rectified the errors and that they have personally read the Court's Standing Order in Civil Cases and the Local Rules for the Northern District of California.

If the Court is satisfied with counsels' response, it will consider taking the Order to Show Cause hearing off-calendar, otherwise Yang Plaintiffs' counsel must appear personally at the hearing.

With respect to the substance of the relief requested by Plaintiffs, the Court schedules a conference call for **Tuesday, May 6, 2014 at 3:00 p.m.**

This Order terminates Docket Numbers 39, 40, 41, and 42. The Clerk shall strike Docket No. 41 from the record.

IT IS SO ORDERED.

Date: May 1, 2014


YVONNE GONZALEZ ROGERS
UNITED STATES DISTRICT COURT JUDGE